

anemia and poor exercise tolerance. Specifically, the exercise ECG stress test using the Bruce protocol revealed that the appellant had poor exercise tolerance, a blunted blood pressure response, and significant ST abnormalities. In a letter dated April 12, 2016, the appellant's personal physician indicated that the appellant previously had transient anemia, which had been corrected. He further indicated that the appellant has no restrictions that would impact her working on the police force. Upon review, the Panel found that the appellant had anemia at the time of the pre-appointment medical examination, but the condition was no longer present. It opined that myocardial ischemia could be exacerbated by anemia, which could have occurred. Therefore, as noted above, the Panel recommended that the appellant undergo a repeat exercise stress test using the Bruce protocol.

In its exceptions, the appointing authority, represented by France Casseus, Assistant Corporation Counsel, submits the response of its physician, Dr. Robert Mustillo. Dr. Mustillo states that based on the September 8, 2015 examination, the appellant was not medically cleared to enter the police academy because she was "moderately anemic and on her exercise stress test exhibited reduced exercise tolerance and possible exercise-induced paroxysmal atrial tachycardia." While Dr. Mustillo agrees with the Panel's comments, he states that it has been over two years since the appellant's pre-appointment medical examination. As such, the appellant would need to go through the entire medical examination and not just the stress test to determine whether she is medically fit to enter the police academy.

CONCLUSION

Having considered the record and the Panel's report and recommendation issued thereon and having made an independent evaluation of the same, the Commission accepts and adopts the findings as contained in the Panel's report, but does not accept its recommendation for the appellant to undergo a repeat exercise stress test. It is not disputed that the appellant suffered from anemia. Regardless of whether it was transient, it affected her ability to perform at an acceptable level in the exercise ECG stress test which revealed poor exercise tolerance, a blunted blood pressure response, and significant ST abnormalities. The Commission notes that consideration of a candidate occurs at a specified period of time. A candidate must be available and medically capable of undergoing the training involved for the position sought at the time the candidate's application is considered. In this case, the appellant has not submitted sufficient documentation to challenge the medical findings which disqualified her for the position, regardless of whether her anemia is now resolved. Therefore, the record demonstrates that the appellant was not medically fit for the position. Accordingly, her appeal is denied.

ORDER

The Commission finds that the appointing authority has met its burden of proof that J.P. was not medically fit to perform effectively the duties of the title and, therefore, the Commission orders that her name be removed from the subject eligible list.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 27TH DAY OF MARCH, 2018



Deirdre L. Webster Cobb
Acting Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Christopher S. Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
P.O. Box 312
Trenton, New Jersey 08625-0312

Attachment

c: J.P.
Kecia Daniels
France Casseus, Assistant Corporation Counsel
Kelly Glenn